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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

TRAVIS WILKERSON,  
ANDREW HARLIN and  
VICTORIA GARCIA,  
  
Plaintiffs,

vs.

CITY OF SAN DIEGO,  
KEVIN ARMENTANO,  
GREGORY MINTER and  
CRAIG SHUMATE,  
  
Defendants.

) Case No. 12cv2994-WQH (BGS)  
)  
) **PLAINTIFFS' STATEMENT RE**  
) **FAILURE TO FILE PROPOSED**  
) **JUDGMENT**

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) Judge: Hon. William Q. Hayes

The parties filed three joint motions to continue the dates for submitting a proposed judgment and any objections thereto, all of which were granted. The parties did so because during this time period, up to the present date, the parties

1 were diligently working out a final resolution of this matter, which has been  
2 accomplished. This resolution was contingent upon a judgment not being entered  
3 against defendants, which is why the parties requested that the date for filing a  
4 proposed judgment be continued multiple times.

5 The parties had contemplated that the settlement would be accomplished  
6 and a joint motion for dismissal filed prior to the May 20, 2015 date by which the  
7 proposed judgment was due. Unfortunately, the final resolution took a few weeks  
8 longer than the parties contemplated, and Plaintiffs neglected to file a further  
9 request to continue the date for filing a proposed judgment, or a proposed  
10 judgment. This was an error. Although working toward a final resolution of this  
11 matter, Plaintiffs' counsel forgot about the May 20, 2015 date, and thus neglected  
12 to file a further joint motion to extend the due date, or a proposed judgment.  
13 Plaintiffs' counsel apologize to the Court for this oversight.

14 As mentioned, the parties have accomplished a final settlement of this case,  
15 and a joint motion for dismissal is being filed concurrently with this statement.

16 Dated: June 11, 2015

Respectfully submitted,

17  
18 /s/ Michael R. Marrinan

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19  
20 Dated: June 11, 2015

21 /s/ Joseph M. McMullen

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